

## **REMARKS**

### **Status of Claims**

Claim 59 is canceled without prejudice or disclaimer. Thus, claims 18, 20, 23-27, 47, 49 and 54 are pending in the application. A detailed listing of all claims that are in the application, is presented, with appropriately defined status identifiers.

### **Claim Rejection Under 35 U.S.C. 103**

In paragraph 3 of the Office action, claim 59 was rejected under 35 U.S.C. 103(a) as being unpatentable over Somasundaram et al. ("Somasundaram," U.S. Patent No. 7,334,049) and Berg ("Berg," U.S. Patent No. 7,406,538).

As noted above, claim 59 is canceled without prejudice or disclaimer. As such, the rejection of claim 59 is rendered moot.

Without conceding that this rejection is proper, Applicants respectfully reserve the right to present the subject matter of claim 59 in a continuation application.

### **Allowable Subject Matter**

Applicants acknowledge, with appreciation, the indication in paragraph 5 of the Office action that claims 18, 20, 23-27, 47, 49 and 54 are allowed.

Because only one other claim (i.e., claim 59) was pending in this application at the time of the Office action and because that claim is canceled, Applicants respectfully request that this application be allowed to issue as a patent.

### **Concluding Remarks**

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 8/26/2009

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6014  
Facsimile: (202) 672-5399

George C. Beck  
Attorney for Applicant  
Registration No. 38,072